

# Congress of the United States

Washington, DC 20515

September 24, 2025

The Honorable Kristi Noem  
Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Ave. NW  
Washington, DC 20016

The Honorable Marco Rubio  
Secretary  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520

The Honorable Pete Hegseth  
Secretary of Defense  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301

Dear Secretary Noem, Secretary Rubio, and Secretary Hegseth:

We are concerned that the Trump Administration is offshoring the immigration detention system in an apparent attempt to evade the due process requirements of the U.S. Constitution. Increasingly, individuals are being “whisk[ed] . . . off the street and onto buses or planes out of the country,” and into detention facilities in unfamiliar countries, with virtually no notice and no opportunity to have their cases adjudicated or to assert a fear of persecution or torture.<sup>1</sup> This practice likely violates the United States’ longstanding *non-refoulement* obligations under U.S. and international law. In June 2025, the U.S. Supreme Court permitted a set of third-country removals to proceed,<sup>2</sup> opening the door for this practice to escalate. Because the Department of Homeland Security (DHS), the Department of State, and the Department of Defense (DoD) each play a role in this system, we request that your offices respond with the basic information requested below regarding the evolving system of third-country deportations and expulsions. Since January 2025, thousands of people — including children,<sup>3</sup> yearslong residents of the United States,<sup>4</sup> and individuals with no criminal records<sup>5</sup> — have been detained and taken to

<sup>1</sup> Dep’t of Homeland Sec. v. D.V.D., 145 S. Ct. 2153, 2162 (2025) (Sotomayor, J., dissenting), [https://www.supremecourt.gov/opinions/24pdf/24a1153\\_l5gm.pdf](https://www.supremecourt.gov/opinions/24pdf/24a1153_l5gm.pdf).

<sup>2</sup> *Id.* at 2153.

<sup>3</sup> NBC News, “U.S. deportation tracker: Counting arrests, deportations,” April 15, 2025, <https://www.nbcnews.com/data-graphics/us-immigration-tracker-follow-arrests-detentions-border-crossings-rcna189148>; NBC News, “On a U.S. deportation flight of 135 mostly Asian migrants to Costa Rica, half will be minors,” Ronny Rojas and Kimmy Yam, February 19, 2025, <https://www.nbcnews.com/news/asian-america/us-deportation-flight-costa-rica-asian-migrants-san-jose-rcna192902>.

<sup>4</sup> The Guardian, “Lawyers say men deported by US to Eswatini are being imprisoned illegally,” Rachel Savage, September 3, 2025, <https://www.theguardian.com/us-news/2025/sep/02/lawyers-say-men-deported-by-us-to-eswatini-are-being-imprisoned-illegally>; The Independent, “These are some of the many people legally in the US who have been detained by ICE or refused entry,” Gustaf Kilander and Josh Marcus, May 27, 2025, <https://www.independent.co.uk/news/world/americas/us-politics/ice-detention-centers-american-citizens-tourists-deported-b2724914.html>.

<sup>5</sup> NBC News, “On a U.S. deportation flight of 135 mostly Asian migrants to Costa Rica, half will be minors,” Ronny Rojas, Noticias Telemundo and Kimmy Yam, February 19, 2025, <https://www.nbcnews.com/news/asian-america/us-deportation-flight-costa-rica-asian-migrants-san-jose-rcna192902>; New York Times, “Migrants, Deported to

parts of the world where they have no citizenship or connections of any kind.<sup>6</sup> Some of these individuals have been deported to third countries not previously designated for their removal, which U.S. immigration law permits only in rare circumstances.<sup>7</sup> In other cases, individuals have been expelled before any final order of removal at all.<sup>8</sup>

On March 30, 2025, DHS issued a memorandum formalizing its policy of deporting individuals with final orders of removal to third countries to which they have little or no connection.<sup>9</sup> Then on July 9, 2025, after the Supreme Court’s decision on third-country removals, Immigration and Customs Enforcement (ICE) issued a plan for how its employees should implement the policy.<sup>10</sup> Meanwhile, some individuals with no final order of removal have been summarily expelled to third countries pursuant to President Trump’s January 2025 proclamation, which invoked an “emergency tool[]” to “rapidly repatriate [noncitizens] to an alternative location.”<sup>11</sup>

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Panama Under Trump Plan, Detained in Remote Jungle Camp,” Julie Turkewitz, Farnaz Fassihi, Hamed Aleaziz and Annie Correal, February 19, 2025, <https://www.nytimes.com/2025/02/19/world/americas/us-migrants-panama-jungle-camp.html>.

<sup>6</sup> NBC News, “On a U.S. deportation flight of 135 mostly Asian migrants to Costa Rica, half will be minors,” Ronny Rojas and Kimmy Yam, February 19, 2025, <https://www.nbcnews.com/news/asian-america/us-deportation-flight-costa-rica-asian-migrants-san-jose-rcna192902>.

<sup>7</sup> 8 U.S.C. § 1231(b)(3); National Immigration Litigation Alliance, Northwest Immigrant Rights Project, and Human Rights First, “Third Country Deportations and *D. V. D. v. DHS*,” June 27, 2025, p. 1, <https://immigrationlitigation.org/wp-content/uploads/2025/06/25.05.27-DVD-Practice-Alert.pdf>.

<sup>8</sup> See, e.g., Human Rights Watch, “‘Nobody Cared, Nobody Listened’: The US Expulsion of Third-Country Nationals to Panama,” April 24, 2025, <https://www.hrw.org/report/2025/04/24/nobody-cared-nobody-listened/us-expulsion-third-country-nationals-panama>.

<sup>9</sup> U.S. Department of Homeland Security, “Guidance Regarding Third Country Removals,” Kristi Noem, March 30, 2025, [https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.43.1\\_1.pdf](https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.43.1_1.pdf).

<sup>10</sup> U.S. Immigration and Customs Enforcement, “Third Country Removals Following the Supreme Court’s Order in Department of Homeland Security v. D. V.D., No. 24A1153 (U.S. June 23, 2025),” Todd M. Lyons, July 9, 2025, <https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.190.1.pdf>; Washington Post, “ICE memo outlines plan to deport migrants to countries where they are not citizens,” Maria Sacchetti, Carol D. Leonnig and Marianne LeVine, July 13, 2025, <https://www.washingtonpost.com/immigration/2025/07/12/immigrants-deportations-trump-ice-memo/>.

<sup>11</sup> The White House, “Guaranteeing the States Protection Against Invasion,” January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/>; Amended Complaint at 23, Refugee and Immigrant Center for Education and Legal Services v. Noem, 25-cv-00306 (D.D.C. February 19, 2025), <https://storage.courtlistener.com/recap/gov.uscourts.dcd.277039/gov.uscourts.dcd.277039.11.0.pdf>.

Thus far, nations that have accepted noncitizens deported or expelled from the United States include: El Salvador,<sup>12</sup> Panama,<sup>13</sup> Costa Rica,<sup>14</sup> Honduras,<sup>15</sup> Ghana,<sup>16</sup> South Sudan,<sup>17</sup> Eswatini,<sup>18</sup> Uzbekistan,<sup>19</sup> and Mexico.<sup>20</sup> Perhaps the most high-profile destination has been El Salvador, where over 200 non-Salvadoran immigrants were detained in the notorious CECOT prison, and where at least some were allegedly tortured.<sup>21</sup> Most were forcibly transferred pursuant to a wartime law from the 1700s called the *Alien Enemies Act*<sup>22</sup> — through a process that the U.S. Supreme Court found violated the U.S. Constitution’s due process requirements.<sup>23</sup> Even after the Supreme Court’s ruling, over 200 deportees remained in El Salvador for another two months, until they were sent to Venezuela in mid-July as part of an international prisoner swap —

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<sup>12</sup> National Public Radio, “U.S. deports hundreds of Venezuelans to El Salvador,” Adrian Florido, March 17, 2025, <https://www.npr.org/2025/03/17/nx-s1-5329796/u-s-deports-hundreds-of-venezuelans-to-el-salvador>.

<sup>13</sup> PBS News, “Asylum-seekers deported from U.S. to Panama fear they will be forgotten as options dwindle,” Matias Delacroix and Megan Janetsky, March 21, 2025, <https://www.pbs.org/newshour/world/asylum-seekers-deported-from-u-s-to-panama-fear-they-will-be-forgotten-as-options-dwindle>.

<sup>14</sup> New York Times, “Costa Rica Tells Trump Deportees They Can Stay and Integrate, or Leave,” Emiliano Rodríguez Mega, April 22, 2025, <https://www.nytimes.com/2025/04/22/world/americas/costa-rica-deported-migrants.html?smid=url-share>; US News & World Report, “Costa Rica Could Hold US Deportees for up to Six Weeks, President Says,” Alvaro Murillo, February 19, 2025, <https://www.usnews.com/news/world/articles/2025-02-19/costa-rica-could-hold-us-deportees-for-up-to-six-weeks-president-says>.

<sup>15</sup> Politico, “More than a half-dozen countries could soon be accepting US deportees,” Ali Bianco and Amanda Friedman, May 8, 2025, <https://www.politico.com/news/2025/05/08/trump-migrant-deportation-countries-00336663>; New York Times, “Trump Administration Abruptly Clears Out Migrants It Sent to Guantánamo,” Hamed Aleaziz, Annie Correal, Carol Rosenberg, Charlie Savage, and Julie Turkewitz, February 20, 2025, <https://www.nytimes.com/2025/02/20/us/politics/guantanamo-venezuelans-trump-migrants.html>; The Guardian, “Venezuelan immigrants deported from US to Venezuela via Honduras,” José Olivares, March 24, 2025, <https://www.theguardian.com/us-news/2025/mar/24/venezuela-immigrants-us-honduras>.

<sup>16</sup> Washington Post, “Lawsuit says U.S. deported migrants to Ghana to sidestep restrictions,” Gaya Gupta, September 13, 2025, <https://www.washingtonpost.com/nation/2025/09/13/ghana-deportation-trump-migrants/>.

<sup>17</sup> New York Times, “Supreme Court Lets Trump Deport Eight Migrants to South Sudan,” Adam Liptak and Mattathias Schwartz, July 3, 2025, <https://www.nytimes.com/2025/07/03/us/politics/supreme-court-migrants-south-sudan.html>.

<sup>18</sup> CNN, “‘Not Trump’s dumping ground’: Outrage over arrival of foreign US deportees in tiny African nation,” Nimi Princewill, Sarah Dean, Larry Madowo and Hamilton Wende, July 18, 2025, <https://www.cnn.com/2025/07/17/africa/africa-eswatini-trump-us-deportees-intl>.

<sup>19</sup> Reuters, “US deports 131 Central Asian migrants to Uzbekistan,” April 30, 2025, <https://www.reuters.com/world/us-deports-131-central-asian-migrants-uzbekistan-fox-news-reports-2025-04-30/>.

<sup>20</sup> Los Angeles Times, “Trump promised vast deportations to Mexico. Why are the numbers so low?,” Katie Linthicum, April 30, 2025, <https://www.latimes.com/world-nation/story/2025-04-30/trump-promised-massive-deportations-to-mexico-they-arent-happening>; Politico, “More than a half-dozen countries could soon be accepting US deportees,” Ali Bianco and Amanda Friedman, May 8, 2025, <https://www.politico.com/news/2025/05/08/trump-migrant-deportation-countries-00336663>.

<sup>21</sup> Washington Post, “‘Welcome to hell’: Inside the megaprison where the U.S. deported migrants,” Samantha Schmidt, et al., July 31, 2025, <https://www.washingtonpost.com/world/2025/07/31/venezuelans-deported-us-el-salvador-prison-cecot/>; New York Times, “Abrego Garcia Was Beaten and Tortured in El Salvador Prison, Lawyers Say,” Alan Feuer, July 2, 2025, <https://www.nytimes.com/2025/07/02/us/politics/kilmar-abrego-garcia-el-salvador-trump-deportation.html>; National Public Radio, “Venezuelan deported to El Salvador mega-prison describes brutal abuse,” Sergio Martínez-Beltrán, July 28, 2025, <https://www.npr.org/2025/07/28/nx-s1-5479208/venezuelan-deported-to-el-salvador-mega-prison-describes-brutal-abuse>.

<sup>22</sup> 50 U.S.C. § 21.

<sup>23</sup> A. A. R. P. v. Trump, 145 S. Ct. 1364 (2025).

including Venezuelan asylum seekers who had expressed a fear of persecution if forced to return to Venezuela.<sup>24</sup>

The Trump Administration reportedly has pursued agreements with at least a dozen other countries to accept noncitizens removed or expelled from the United States — including Libya, Saudi Arabia,<sup>25</sup> Rwanda,<sup>26</sup> South Africa,<sup>27</sup> Equatorial Guinea, Benin, Angola, Moldova,<sup>28</sup> Uganda, Honduras,<sup>29</sup> Kosovo,<sup>30</sup> and even Ukraine, despite its ongoing war.<sup>31</sup> Some countries have declined the Trump Administration's request to accept deportees from other countries.<sup>32</sup> Meanwhile, some have agreed out of fear of economic or other repercussions if they resist. For example, Costa Rica's president said, "[i]f they impose a tax in our free [trade] zones, it'll screw us."<sup>33</sup>

The Trump team reportedly developed this policy soon after the 2024 election, purportedly as a workaround to the problem of "recalcitrant countries" that refuse to accept the return of their own nationals.<sup>34</sup> However, many people who have been subjected to these deportations and

<sup>24</sup> See, e.g., Washington Post, "'Welcome to hell': Inside the megaprison where the U.S. deported migrants," Samantha Schmidt, et al., July 31, 2025, <https://www.washingtonpost.com/world/2025/07/31/venezuelans-deported-us-el-salvador-prison-cecot/>.

<sup>25</sup> U.S. District Court for the District of Massachusetts, Memorandum and Order on Motion to Dismiss in D.V.D. v. U.S. Department of Homeland Security, No. Docket 1:25-cv-10676, [https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.91.0\\_5.pdf](https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.91.0_5.pdf).

<sup>26</sup> National Public Radio, "Trump uses third countries for removals," Ximena Bustillo, May 7, 2025, <https://www.npr.org/2025/05/07/nx-s1-5389713/trump-uses-third-countries-for-removals>; PBS News, "What to know about Rwanda's talks with the U.S. about taking in third-country deportees," Cara Anna, May 7, 2025, <https://www.pbs.org/newshour/world/what-to-know-about-rwandas-talks-with-the-u-s-about-taking-in-third-country-deportees>.

<sup>27</sup> National Public Radio, "The White House is deporting people to countries they're not from. Why?," Ximena Bustillo, June 1, 2025, <https://www.npr.org/2025/06/01/g-s1-69780/trump-deportations-south-sudan>.

<sup>28</sup> CBS News, "U.S. seeking deportation deals with far-flung countries like Angola and Equatorial Guinea," Camilo Montoya-Galvez, May 5, 2025, <https://www.cbsnews.com/news/u-s-deportation-deals-with-angola-equatorial-guinea/>.

<sup>29</sup> CBS News, "U.S. broadens search for deportation agreements, striking deals with Honduras and Uganda, documents show," Camilo Montoya-Galvez, August 21, 2025, <https://www.cbsnews.com/news/us-deportation-agreements-honduras-uganda/>.

<sup>30</sup> AP News, "Kosovo has accepted a request to shelter third-country migrants a year from the US," Zenel Zhinipotoku and L Lazar Semini, June 11, 2025, <https://apnews.com/article/kosovo-us-migrants-relocated-5641165a3d6cd6b9e9fda53335733450>.

<sup>31</sup> Washington Post, "Trump team urged Ukraine to take U.S. deportees amid war, documents show," Adam Taylor, Sarah Blaskey, and Siobhán O'Grady, May 6, 2025, <https://www.washingtonpost.com/national-security/2025/05/06/trump-ukraine-deportees/>; Straight Arrow News, "Trump asked Ukraine to accept deportees during war: Report," William Jackson, May 7, 2025, <https://san.com/cc/trump-asked-ukraine-to-accept-deportees-during-war-report/>.

<sup>32</sup> Al Jazeera, "Bahamas rejects Trump proposal to take in deported third-country migrants," December 5, 2024, <https://www.aljazeera.com/news/2024/12/5/bahamas-rejects-trump-proposal-to-take-in-deported-third-country-migrants>.

<sup>33</sup> NBC News, "On a U.S. deportation flight of 135 mostly Asian migrants to Costa Rica, half will be minors," Ronny Rojas and Kimmy Yam, February 19, 2025, <https://www.nbcnews.com/news/asian-america/us-deportation-flight-costa-rica-asian-migrants-san-jose-rcna192902>.

<sup>34</sup> Vox, "How Trump could try to deport immigrants to countries other than their own," Nicole Narea, December 10, 2024, <https://www.vox.com/politics/390533/trump-third-country-deportation-bahamas-panama-grenada-turks-caicos>.

expulsions are not from recalcitrant countries, such as those from Mexico, Jamaica, Ecuador, Cameroon, and Sri Lanka.<sup>35</sup> In some cases, the Administration may not even be attempting to repatriate individuals to their own countries. For example, Jamaica says it *did not* reject the return of its nationals who were sent to Eswatini — which is now planning to return them to Jamaica.<sup>36</sup>

In reality, these operations appear to be, at least in part, an attempt to evade the statutory, regulatory, and constitutional due process requirements of the U.S. immigration adjudication process — which President Trump has complained can take years to complete.<sup>37</sup> Fast-tracked expulsions and deportations to third countries allow DHS to deport planeloads of people practically overnight, to whatever country has agreed to receive or detain noncitizens *en masse*. Some have been deported with less than 24 hours' notice, without meaningful access to attorneys, and with no opportunity to assert their due process rights or have their cases heard.<sup>38</sup>

These rapid removals not only ignore an individual's country of origin, but also whether that person might face persecution, torture, or death in the intended destination. Such risks are not hypothetical: reports of torture at El Salvador's CECOT have begun to emerge.<sup>39</sup> Even though U.S. and international law prohibit removing individuals to third countries where they would face persecution or torture,<sup>40</sup> DHS's new policy on third-country removals is as follows: as long as the third country has generally assured that it will not persecute or torture individuals deported

<sup>35</sup> Reuters, "The US said it had no choice but to deport them to a third country. Then it sent them home," Kristina Cooke and Ted Hesson, August 2, 2025, <https://www.reuters.com/world/americas/us-said-it-had-no-choice-deport-them-third-country-then-it-sent-them-home-2025-08-02/>; Newsweek, "Map Shows Which Countries Refuse to Take Back Deported Migrants," Dan Gooding, January 6, 2025, <https://www.newsweek.com/map-shows-which-countries-refuse-take-back-deported-migrants-2010464>; U.S. District Court for the District of Massachusetts, Preliminary Injunction Order in D.V.D. v. U.S. Department of Homeland Security, Docket No. 1:25-cv-10676, P. 8, [https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.64.0\\_8.pdf](https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.64.0_8.pdf); U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, Enforcement and Removal Operations, "Removal Cooperation Initiative (RCI), As of December 19, 2024," on file with the Office of Senator Elizabeth Warren.

<sup>36</sup> Caribbean Life, "Wrongfully deported to Africa? Jamaica says it didn't turn anyone away," Bert Wilkinson, July 18, 2025, <https://www.caribbeanlife.com/wrongfully-deported-to-africa-jamaica-says-it-didnt-turn-anyone-away/#:~:text=Jamaica's%20government%20has%20expressed%20surprise,the%20island%20over%20the%20decades;New%20York%20Times,`African%20Nation%20Says%20It%20Will%20Repatriate%20Migrants%20Deported%20by%20U.S.,`John%20Eligon%20and%20Hamed%20Aleaziz,July%2016,2025,https://www.nytimes.com/2025/07/16/world/africa/eswatini-trump-migrants-deportation.html>.

<sup>37</sup> Politico, "Behind Trump's push to erode immigrant due process rights," Myah Ward, April 28, 2025, <https://www.politico.com/news/2025/04/28/trump-immigration-100days-due-process-00307435>; White House, "Remarks by President Trump on the Illegal Immigration Crisis and Border Security," November 1, 2018, [https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-illegal-immigration-crisis-border-security/?utm\\_source=link](https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-illegal-immigration-crisis-border-security/?utm_source=link).

<sup>38</sup> Dep't of Homeland Sec. v. D.V.D., 145 S. Ct. 2153, 2158 (2025) (Sotomayor, J., dissenting), [https://www.supremecourt.gov/opinions/24pdf/24a1153\\_15gm.pdf](https://www.supremecourt.gov/opinions/24pdf/24a1153_15gm.pdf).

<sup>39</sup> See, e.g., Washington Post, "'Welcome to hell': Inside the megaprison where the U.S. deported migrants," Samantha Schmidt, et al., July 31, 2025, <https://www.washingtonpost.com/world/2025/07/31/venezuelans-deported-us-el-salvador-prison-cecot/>.

<sup>40</sup> 8 U.S.C. § 1231(b)(3); Office of the High Commissioner of Human Rights, "UN experts alarmed by resumption of US deportations to third countries, warn authorities to assess risks of torture," July 8, 2025, <https://www.ohchr.org/en/press-releases/2025/07/un-experts-alarmed-resumption-us-deportations-third-countries-warn>; Center for Gender and Refugee Studies, "Third Country Removals: Legal Protections and Compliance Concerns," June 17, 2025, [https://cgrs.uclawsf.edu/sites/default/files/Third\\_Country\\_Removals\\_-\\_One\\_Pager\\_-\\_06.17.2025\\_FINAL.pdf](https://cgrs.uclawsf.edu/sites/default/files/Third_Country_Removals_-_One_Pager_-_06.17.2025_FINAL.pdf).

from the United States, and the State Department “believes those assurances to be credible,” DHS may deport a person “without the need for further procedures”<sup>41</sup> — even if a particular person would face above-average risk in the country. Even absent assurances, the U.S. government may proceed with the deportation after “first inform[ing] the alien of removal to that country.”<sup>42</sup> DHS only gives noncitizens 24 hours’ notice before deportation to a country where they might be tortured, and “as little as six hours’ notice” in “exigent” circumstances.<sup>43</sup>

As such, many deportees have no realistic chance to express a fear of persecution. Reportedly, some have been deported without even knowing where they were being sent; some assumed they were being sent to another city in the United States until landing in an unknown country.<sup>44</sup> In short, DHS has effectively communicated that “it feels itself unconstrained by law, free to deport anyone anywhere without notice or an opportunity to be heard.”<sup>45</sup>

This system relies on the cooperation of multiple agencies. The State Department is responsible for establishing diplomatic agreements with countries to permit these deportations and to dictate the terms under which they are held. A full list of countries with which the State Department currently has formal third-country removal agreements has not been made public. Additionally, the DoD has conducted international deportation flights and has been responsible for detaining noncitizens on U.S. military bases not only within the United States but also overseas, including the U.S. Naval Base Guantanamo Bay in Cuba, which cost DoD an estimated \$40 million in just the first month, and the Camp Lemonnier Naval Base in Djibouti, where noncitizens were held pending litigation over their transfer to South Sudan.<sup>46</sup>

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<sup>41</sup> U.S. Department of Homeland Security, “Guidance Regarding Third Country Removals,” Kristi Noem, March 30, 2025, p. 2, [https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.43.1\\_1.pdf](https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.43.1_1.pdf).

<sup>42</sup> *Id.* p. 2.

<sup>43</sup> Washington Post, “ICE memo outlines plan to deport migrants to countries where they are not citizens,” Maria Sacchetti, Carol D. Leonnig and Marianne LeVine, July 13, 2025, <https://www.washingtonpost.com/immigration/2025/07/12/immigrants-deportations-trump-ice-memo/>; U.S. Immigration and Customs Enforcement, “Third Country Removals Following the Supreme Court’s Order in Department of Homeland Security v. D. V.D., No. 24A1153 (U.S. June 23, 2025),” Todd M. Lyons, July 9, 2025, <https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.190.1.pdf>.

<sup>44</sup> Christian Science Monitor, “Panama accepted asylum-seekers the US didn’t want. Then its troubles began,” Whitney Eulich and Andrea Salcedo, April 21, 2025, <https://www.csmonitor.com/World/Americas/2025/0421/panama-trump-asylum-seekers-deportees>; The Intercept, “ICE Said They Were Being Flown to Louisiana. Their Flight Landed in Africa,” Nick Turse, July 8, 2025, <https://theintercept.com/2025/07/08/ice-deportation-louisiana-south-sudan/>.

<sup>45</sup> Dep’t of Homeland Sec. v. D.V.D., 145 S. Ct. 2153, 2159 (2025) (Sotomayor, J., dissenting), p. 12, [https://www.supremecourt.gov/opinions/24pdf/24a1153\\_15gm.pdf](https://www.supremecourt.gov/opinions/24pdf/24a1153_15gm.pdf).

<sup>46</sup> New York Times, “U.S. Has Spent \$40 Million to Jail About 400 Migrants at Guantánamo,” Carol Rosenberg, updated April 1, 2025, <https://www.nytimes.com/2025/03/31/us/politics/migrants-guantanamo-costs.html>; Global Detention Project, “Djibouti: Use of US Military Base for Immigration Detention Purposes Raises Concerns,” June 30, 2025, <https://www.globaldetentionproject.org/djibouti-use-of-us-military-base-for-immigration-detention-purposes-raises-concerns>; CBS News, “U.S. holding detainees from Asia, Africa and Europe at Guantanamo Bay immigration facilities,” Camilo Montoya-Galvez, July 1, 2025, <https://www.cbsnews.com/news/guantanamo-bay-immigration-detainees-asia-africa-europe/>; CBS News, “Trump administration using Guantanamo to detain foreigners from 26 countries, including criminal detainees,” Camillo Montoya-Galvez, July 8, 2025, <https://www.cbsnews.com/news/trump-guantanamo-detain-foreigners-from-26-countries/>.

Given grave concerns over deportations and expulsions to third countries, often with no notice or due process, we request answers to the following questions by October 8, 2025:

1. For what percentage of noncitizens removed to third countries did the Administration first attempt to remove the noncitizen to their country of origin or, where applicable, the country designated on their removal order?
  - a. Please describe what such attempts consisted of.
2. How many individuals have been removed to third countries that have not provided the United States with diplomatic assurances that they will not torture or persecute deported individuals?
3. Please list all countries with which the State Department has entered into agreements for third-country deportations.
  - a. Please provide a copy of any memorandum of understanding or other written agreement with each country.
  - b. What has the United States promised or given each country in exchange for entering third-country removal agreements?
  - c. For each of these countries, please provide the number of individuals removed to these countries for each month since January 2025.
4. What is the Administration's process for selecting countries as destinations for third-country removals and expulsions?
5. What criteria are being used to determine whether to send an individual to a third country to which they have no connection?
6. Are any individuals being prioritized for third-country deportations based on their nationality? Please list all nationalities that are being prioritized for third-country deportations.
7. What is the minimum notice period that has been given to individuals in practice before deportation to a third country?
8. How much has DoD spent to detain noncitizens in the United States, on military bases in the United States, and on military bases overseas, including in Guantanamo Bay, Cuba?
9. What is the total cost to U.S. taxpayers of the third-country deportation program to date?
  - a. What has been the total budgetary cost for DHS? What has been the cost of third-country deportation flights operated by DHS?
  - b. What has been the total budgetary cost for DoD? What has been the cost of third-country deportation flights operated by DoD?
10. How many military planes have been used for third-country deportations?
11. What is the government's process for assessing whether a country will persecute or torture any individual removed to a third country?
  - a. What sources do agencies rely on in making this determination?
  - b. How do agencies weigh evidence that a particular government or facility has persecuted or tortured people in recent years? How do agencies weigh such evidence included in U.S. State Department human rights reports?
12. For which of the following countries has the Administration determined that deportees are not likely to face torture: South Sudan, Panama, El Salvador, Mexico, Costa Rica, Libya, Saudi Arabia, Rwanda, Ghana, South Africa, Equatorial Guinea, Benin, Angola, Eswatini, Uzbekistan, Moldova, Ukraine, Honduras, and any other countries receiving or slated to receive non-nationals?

13. Which countries, if any, have provided diplomatic assurances that they will not subsequently transport individuals to other countries, including the individuals' home countries, where it has been established that they are likely to be tortured or persecuted?
14. What post-removal monitoring mechanisms are in place to ensure that individuals sent to third countries are not persecuted, tortured, detained indefinitely, or denied basic rights? Please describe in detail how these mechanism function.
15. How many children under the age of 18 have been subjected to third-country deportations or expulsions?
16. How many people deported or expelled to third countries, either intentionally or erroneously, have been:
  - a. Lawful permanent residents;
  - b. Living in the United States on a visa;
  - c. Recipients of humanitarian parole;
  - d. Recipients of protection from removal to their country of origin under withholding of removal or the Convention against Torture?
17. How many U.S. citizens have been transferred out of the country by DHS or DoD on deportation flights?

Thank you for your attention to this critical matter.

Sincerely,



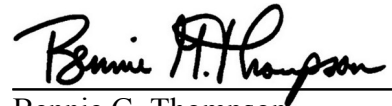
Elizabeth Warren  
United States Senator



Jamie Raskin  
Ranking Member  
House Committee on the  
Judiciary



Chris Van Hollen  
United States Senator



Bennie G. Thompson  
Member of Congress  
Ranking Member, Committee  
on Homeland Security





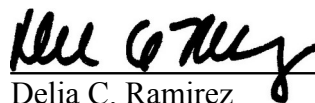
Bernard Sanders  
United States Senator



Troy A. Carter, Sr.  
Member of Congress



Cory A. Booker  
United States Senator



Delia C. Ramirez  
Member of Congress



Tina Smith  
United States Senator



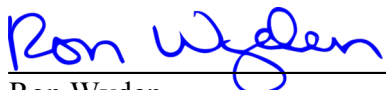
Rashida Tlaib  
Member of Congress



Peter Welch  
United States Senator



Bonnie Watson Coleman  
Member of Congress



Ron Wyden  
United States Senator



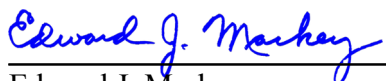
Jasmine Crockett  
Member of Congress



Jeffrey A. Merkley  
United States Senator



Joaquin Castro  
Member of Congress



Edward J. Markey  
United States Senator



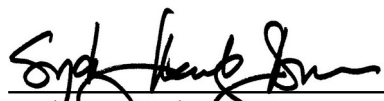
Henry C. "Hank" Johnson, Jr.  
Member of Congress



Ted W. Lieu  
Member of Congress



Jesús G. "Chuy" García  
Member of Congress



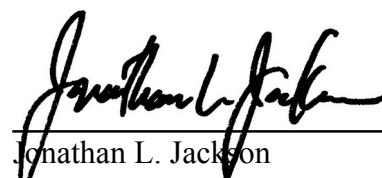
Sydney Kamlager-Dove  
Member of Congress



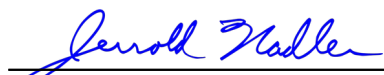
Diana DeGette  
Member of Congress



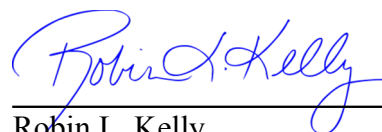
Lloyd Doggett  
Member of Congress



Jonathan L. Jackson  
Member of Congress



Jerrold Nadler  
Member of Congress



Robin L. Kelly  
Member of Congress



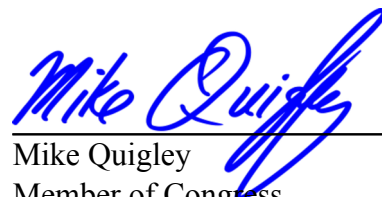
John Garamendi  
Member of Congress



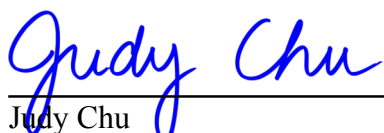
Eleanor Holmes Norton  
Member of Congress



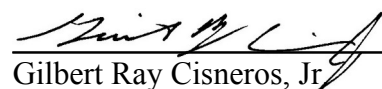
Dan Goldman  
Member of Congress



Mike Quigley  
Member of Congress



Judy Chu  
Member of Congress



Gilbert Ray Cisneros, Jr.  
Member of Congress



Alexandria Ocasio-Cortez  
Member of Congress



Norma J. Torres  
Member of Congress



Pramila Jayapal  
Member of Congress



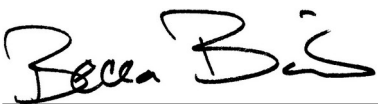
Lizzie Fletcher  
Member of Congress



Ilhan Omar  
Member of Congress



Julia Brownley  
Member of Congress



Becca Balint  
Member of Congress



MARK TAKANO  
Member of Congress



Maxwell Alejandro Frost  
Member of Congress



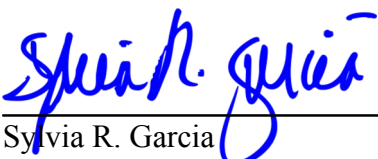
Maxine Dexter  
Member of Congress



Lauren Underwood  
Member of Congress



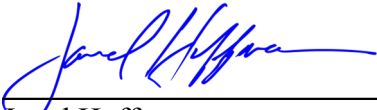
Sean Casten  
Member of Congress



Sylvia R. Garcia  
Member of Congress



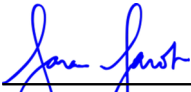
Paul D. Tonko  
Member of Congress



Jared Huffman  
Member of Congress



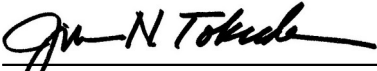
Mark DeSaulnier  
Member of Congress



Sara Jacobs  
Member of Congress



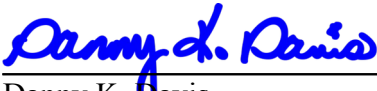
Adriano Espaillat  
Chair  
Congressional Hispanic  
Caucus



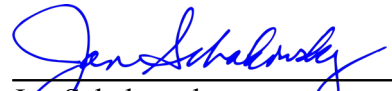
Jim Tokuda  
Member of Congress



Ro Khanna  
Member of Congress



Danny K. Davis  
Member of Congress



Jan Schakowsky  
Member of Congress



Maxine Waters  
Member of Congress



Lois Frankel  
Member of Congress

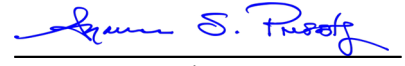



Mary Gay Scanlon  
Member of Congress

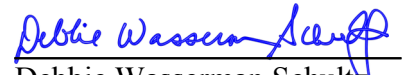


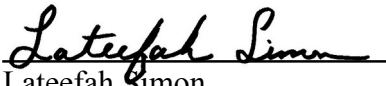
Juan Vargas  
Member of Congress


  
Yassamin Ansari  
Member of Congress


  
Ayanna Pressley  
Member of Congress

  
Seth Moulton  
Member of Congress

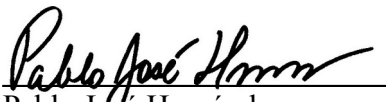
  
Debbie Wasserman Schultz  
Member of Congress

  
Lateefah Simon  
Member of Congress

  
Veronica Escobar  
Member of Congress

  
Summer L. Lee  
Member of Congress

  
Dave Min  
Member of Congress

  
Pablo José Hernández  
Member of Congress

Cc: Offices of Inspector General of DoD, DHS, State Department